



Board of Election Commissioners for the City of Chicago  
Minutes of Regular Board Meeting  
September 25, 2018, 9:30 a.m.  
69 West Washington Street, 8th Floor Conference Room, Chicago, Illinois 60602

**Board Members:**

Marisel A. Hernandez, Chairwoman  
William J. Kresse, Commissioner/Secretary  
Jonathan T. Swain, Commissioner

**Staff:**

Lance Gough, Executive Director  
Adam W. Lasker, General Counsel  
Charles Holiday, Assistant Executive  
James P. Allen, Communications Director  
Bill Perez, Coordinator Hispanic Outreach  
Peter Peso, Deputy Chief Administrative Officer  
Lorel Blameuser, Purchasing Agent  
Sarita Villarreal, Consultant  
Matthew Lin, IT Department Manager  
Gary Ryczyn, Consultant  
Rahul Patel, Information Security Officer  
Trupti Patel  
Michal Czech, Videographer  
Trish Sheehy

**Guests:**

Sandy Hed, Election Works  
Helene Gabelnick, League of Women Voters of Chicago (LWV Chicago)  
Judd Ryan, ES&S  
C. Betty Magness, Rainbow PUSH Coalition

- I. Call to Order: The Chairwoman called the meeting to order at 9:44 a.m.
- II. Roll Call: All Board Members were present.
- III. Consideration of Agenda: The agenda was accepted as presented
- IV. Approval of Minutes:
  - A. Minutes of the Regular Board Meeting of August 14, 2018: Commissioner Swain moved to approve the Minutes of the Regular Board Meeting of August 14, 2018. Commissioner Kresse seconded the motion. The motion passed and the Minutes were approved by a 3:0 vote of the Board.
- V. Executive Director's Report

Executive Director Lance Gough reported as follows:

- Mr. Gough introduced the Board's new Election Information Security Officer, Rahul Patel, and presented his credentials.
  - Mr. Patel has been working with our office since April 2<sup>nd</sup>, 2018.
  - He has been working on many fronts to defend, detect and protect election information, beginning with cybersecurity and physical security.
  - He has been monitoring security and coordinating use of the Multi-State Information Sharing & Analysis Center's (M-ISAC) advisories to guard against malicious IP address, suspicious domains and to secure commonly used software.
  - Mr. Patel has been working with state and federal cyber authorities including the Department of Homeland Security (DHS), Federal Bureau of Investigation (FBI) and the State of Illinois and the Illinois State Board of Elections (ISBE). Mr. Patel has met with all parties 3-4 times already.
  - Mr. Patel holds several degrees including a PhD, several management certificates, and is credentialed as a CISM and a CISSB. He has worked in IT security since 2007, including working at the Federal Reserve Bank of Chicago handling their cybersecurity system for approximately 10 years
  - We are sharing the expense and services of Mr. Patel with the Cook County Clerk's Office. Approximately 23 applications were reviewed before hiring Mr. Patel.
- Mr. Gough had Consultant Gary Ryczyn provide a report regarding ballots:
  - Card A ballot printing has been completed. The last delivery of Chinese and Hindi ballots will be today
  - We are about 30% printed on the Retention of Judge ballot on Card B, and should have delivery to our warehouse and 3xData by the end of week.
  - Production of our Specimen Ballots have begun. Assistant Executive Director Charles Holiday should begin receiving them this afternoon or tomorrow.
  - We released for production the S ballots and chips for pre-LAT (pre-election Logistics and Accuracy Testing); the warehouse should receive those by the weekend.
- Mr. Gough reported on the status of the preparations of the Early Voting supersite at 175 West Washington:
  - The supersite should be ready by Thursday.
  - We will have the 175 W. Washington site for the next couple of elections.
  - Compared to last facility, 175 is larger and flow should be better. Lines will be inside rather than on the street.
  - Impressed with incredible job staff has done.
  - The City inspection is scheduled for today.
- 3xData will begin mailing the Vote By Mail ballots. Reports show that we have over 50,000 Vote By Mail ballots in the system. After 3xData begins mailing we will meet with them to see how many they are mailing per day. We met the deadline for Military and Overseas Ballots. This is the earliest we have ever done.

- County budget hearing will be on October 24<sup>th</sup>.
  - City budget hearing will be either the morning of the 16<sup>th</sup> or the morning of the 17<sup>th</sup>.
- A. Assistant Executive Director (Charles Holiday)
- Assistant Executive Director Holiday reported as follows:
    - Mr Holiday reported that he just received a text from Dean Ftikas informing him that the Supersite at 175 W. Washington passed the City inspection.
    - IT is proofing chips for the opening of Grace Period at the other 50 Early Voting sites.
    - Vote By Mail (VBM) mailing will begin this weekend
    - Our registration department has 12,500 registrations to process: 10,000 online registrations and 2,500 in house. The registrations have picked up due to social media and other campaigns.
    - Mail canvass is complete. IT is proofing and matching the file we received from the Jury Commission. If a record does not match we will send a 2<sup>nd</sup>, forwardable mailing.
    - Status of electronic poll books (E-poll books): the test data and change data has been given to ES&S. ES&S is in the process of preparing production data for the e-poll books for Election Day.

Commissioner Swain inquired to the status of the Americans with Disabilities Act (ADA) project. Mr. Gough stated that we are waiting for the Chicago Public Schools (CPS). A large number of our polling places are in CPS properties. Mr. Gough hopes to meet with CPS at the end of this week or early next week

- B. Communications Director (Jim Allen)  
Communications Director Allen reported as follows:
- National Voter registration day.
    - Today on social media (Twitter, Facebook, etc.) and large corporations are pushing the registration message, with links to state registration sites.
  - We have a large amount of VBM (Vote By Mail) applications this year. We should break our own 115,000 VBM record.
  - Work on the pre-election mailing continues.
  - The Chairwoman stated that she has seen the Board's posts on Twitter with on target messages.
  - The Chairwoman said it's heartening to see not only organizations, but companies trying to get their employees and students to register and vote.
  - The BIG10 voter registration challenge: the 14 BIG10 schools are competing to get most innovative way to get freshman to register. So far, Northwestern is one of the most successful. There are efforts to get the entire NCAA involved.
  - Commissioner Kresse had also seen items regarding recruiting Judges of Election. Mr. Allen said that we had some items and did a news release last week. We have a lot of positions to fill and the new judges will need time to get training.

- We have met with United States Postal Service (USPS) regarding the post marks and timely deliveries.
  - The USPS would like us to use labeling rather than indicia – basically putting stamp on return envelope
  - Would like to have legislation changed to allow the use of the intelligent post mark that USPS prints and scans as soon as mail enters the postal system. The equipment has been consistently reading the Intelligent bar code, but we would need legislation to allow us to use it to determine late ballots. On the Thursday after the election we start to look at the certification in the absence of postmarks. (Note: if a voter puts no date, or a date after the election then it is not counted.) We are going to include in the email that we send when we are mailing out the ballot a message on the importance of filling out the certification.
- We do not have data as to how the unemployment rate ties to Judges of Election recruitment, but it appears that an increase in of pay to the Judges does have an impact. We have raised this issue with the Budget department.
- The Secretary of State needs to have “REAL ID” in place before automatic voter registration (AVR) can be rolled out. The REAL ID program verifies citizenship through either birth certificates or naturalization papers. Right now the Secretary of State has the “opt-in” program in effect. We are currently getting electronic records instead of paper records from the Secretary of State, but it’s not fully automatic yet. The Secretary of State is to have AVR implemented by May or June 2019, although other reports say “late Spring”. General Counsel Lasker pointed out that AVR will not be available for either of our 2019 elections.
- There was a discussion on a post-election audit of Vote By Mail (VBM) envelope signatures to the Board’s voter registration system (VRXG)
  - A web conference last week on risk limiting audits discussed conducting such audits. Specifically, VBM envelopes would be randomly sampled and an independent group of 3-4 people would do a comparison examination of signatures. The person who led the video conference said that they could do approximately 1,000 items per hour.
  - Commissioner Kresse thinks it’s imperative to test the controls because of increase of VBM popularity.

VI. Old Business

- A. Infrastructure Projects and Changes in Election Administration:  
Nothing new to report at this time.
- B. Electronic Poll Books:  
ES&S representative Judd Ryan was called upon to report. Mr. Ryan stated that Mr. Holiday had summed up the progress in his report and that everything is going well regarding the e-poll books.

- C. Voting Equipment:  
We will return to this subject after the election.

- D. Legislation:

Mr. Lasker reported that there have been no new developments in the legislation that we have been following. Additionally:

- The pre-trial detainee bill was vetoed.
- Regarding mail in ballots, our VBM Supervisor has mentioned the Agilis machine has the ability to do automatic signature comparison. Mr. Lasker and his predecessor, Jim Scanlon, agree that the statute does not allow for this – it requires in-person verifications. We are looking at some legislative change that might allow that only those signatures rejected by Agilis be reviewed by staff. There may be a fee to have this Agilis feature, possibly \$15,000 per election. The increase to Agilis would be saved by a reduction in election overtime. Right now the law says that it must be reviewed by humans, so a legislative change would be necessary.
- Mr. Gough pointed out that we would also have to update our “signature clips”. If authorized by law, we could select from the voter’s ballot signature.
- We do not receive signatures from the Secretary of State, unless we get from them a Paperless Online Voter Application (POVA), then the signature is sent.
- Mr. Allen added that this could have an advantage during Petition Records exam if we use a composite of a voters signatures.

VII. New Business:

- A. Approval to renew and amend the contract between the Chicago Board of Elections and Ellen Mulcrone Schuetzner for Forensic Examiner Consultant (Handwriting Expert): Extend through April 30, 2019 and Elimination of the Compensation cap.

General Counsel Adam Lasker provided details regarding this request for approval to renew and amend the contract with the Forensic Examiner Consultant (handwriting Expert):

- The original bid was only for the 2018 elections, the contract allows us to extend for the 2019 cycle.
- It is difficult to put a cap on the compensation because we do not know how many signatures will be needed. Previous expert Hayes said it was customary not to put a cap on the compensation.

There was discussion as to whether or not two handwriting experts would be sufficient for the 2019 elections. It was determined that if needed, additional professionals could be subcontracted. Though the Board is not required to bid for these service it may do so again in the future, but would bid for two or more experts during the bid process.

Commissioner Kresse moved to approve the renewal and amend the contract with Ellen Mulcrone-Schuetzner for Forensic Examiner Consultant services. Commissioner Swain seconded the motion. The motion was approved by unanimous vote of the Board.

B. Approval of Contract with 3X Data for Provisional and Absentee Ballot Fulfillment, 2018 Election.

- Purchasing Agent Lorel Blameuser stated that the recommendation was made for continuation of services by 3xdata for packaging and assembly of envelopes for VBM mailings.
- This is a no-bid contract. 3xData was selected due to their past experience, the security of information they provide, their location and because they are only vendor certified by the State of Illinois to do this work.

Commissioner Kresse said we will need to review this for 2019 elections.

Commissioner Kresse moved to approve the contract in the amount of \$393,764, with the term of September 24, 2018 through November 30, 2018 for Absentee and Provisional ballot fulfillment for the November 2018 General Election. Commissioner Swain seconded the motion and the motion was passed by a 3:0 vote of the Board.

C. Approval of Lease Agreement with Meeting Tomorrow for Laptop Lease, 2018 General Election, Early Voting & Election Day:

- Purchasing Agent Blameuser presented the information regarding this lease:
  - This was a small phone bid. She reached out to a few vendors. Meeting Tomorrow is the only vendor that could commit the number of laptops we need, for the amount of time we use them.
  - The computers are "clean" when we receive them, and Matt Lin and his staff then wipe the computers clean again before we return them.
  - This vendor was recommended by the City of Chicago because we were unable to find a company that would lease the number of laptops for the length of time we need them.
  - A few other vendors that had approached by us, but they all conceded that they could not provide the number needed.
  - We used Meeting Tomorrow for the last two elections.
  - The prices are the same as they were for the last election.
  - The vendor is very timely.
- IT Director Linn stated that our office reformats and "cleans" the laptops when we receive them from the vendor. When we return the laptops the vendor also cleans them and sends us a certificate saying that they have been completely cleaned/wiped.

Commissioner Swain moved to approve the Lease Agreement for the term of September 21, 2018 through November 30, 2018 in the amount of \$29,534.25. Commissioner Kressé seconded the motion. The motion passed by unanimous vote of the Board.

D. Approval of increase to Judge of Election Compensation by \$10.00:

Mr. Gough had met with the County, and after looking at our budgets said that both the City Board of Elections and the County could increase the judge of election compensation to a flat \$200. The County has already decided that they will be at \$200. Mr. Gough is talking to the City regarding this matter for next year's elections.

Commissioner Kresse moved to approve the increase to the Judge of Election Compensation by \$10.00 each from \$190 to \$200.00 per Judge of Election. Commissioner Swain seconded the motion. The motion passed by a unanimous vote of the Board.

VIII. Legal Report

- Mr. Lasker attended the Annual Conference of the Illinois Municipal League and was on a panel dealing with referenda law. The panel was moderated by Burt Odelson. Others on the panel were Illinois State Board of Election General Counsel Ken Menzel, Election Attorneys Jim Nally and Ross Seclar, and Pat Bond, the General Counsel for DuPage.
- Attorney Joan Agnew and Mr. Lasker plan to meet with Judge Sullivan, Presiding Judge of the County Division, to discuss some issues that have arisen regarding dealing with the Circuit Court's new mandatory e-filing. As an examples of issues that have arisen, when we had a Judicial Review stemming from an Electoral Board decision, our statutory obligation is to create a "record on appeal" and turn it over to the Court; when we attempted to actually file the original nominating petitions or referenda to the Clerk of the Court, the Clerk will not allow us to hand paper over the counter. There are also issues such as getting in to see the Judge regarding keeping polling places open late on emergency basis, or filing for the appointment of Judges of Election; these are not options on the e-filing system. We hope that the meeting with Judge Sullivan will lead to the Clerk of the Court's office to make the needed adjustments.
- Friday received a court filing from the Metropolitan Water Reclamation District (MWRD) that they had a vacancy because Commissioner Bradford passed away. The County Clerk certified the vacancy after getting the Attorney General's recommendation. There was a write-in campaign for that office in the primary, and Democrat Cam Davis won that contest, and he is a named party in the lawsuit. Jeffery Cabbage has been appointed by the Green Party as its candidate for November. Mr. Cabbage is a defendant, as well as David Walsh who is currently a MWRD Commissioner and was appointed by the Governor to fill the vacancy. The Governor made Mr. Walsh's appointment to last through November 2020, but some argue that the statute limits the appointment until the next election. MWRD is asking the Court to rule on which side is correct.

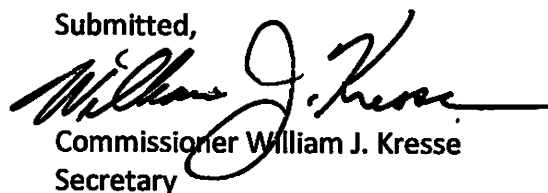
IX. Financial Report: None

X. Public Comment: None

XI. Executive Session: None needed

XII. Adjournment: Commissioner Swain moved to adjourn until a Special Meeting on October 2<sup>nd</sup> at 9:00 a.m. Commissioner Kresse seconded the motion. The motion passed by 3:0 vote of the Board. The meeting was adjourned at 10:34 a.m.

Submitted,



Commissioner William J. Kresse  
Secretary